COURT FEE INDIA TEN RUPEES

CAVEATED

(1) (B) CAST

IN THE HIGH COURT OF JUDICATURE AT BILASPUR(C.G)

CIVIL REVISION No. 145 / 2003

Single Bench

PETITIONERS : 1) Lal Virendra Bahadur Tiwari
DEFENDANTS S/o. Shri Rangnath Tiwari
Aged about 46 years,
Occupation-Advocate &
Cultivation,R/o.Beedpara
Ward No.13(Old No.8)
Sarangarh, Thana &Tahsil
Sarangarh,Dist:Raigarh(C.G)

2) Smt. Rajanigandha Dubey
S/o. Shri Raj Kumar Dubey
Aged abour 42 years,
Occupation-Housewife
R/o.Baloda (Akaltara)
Presently residing at
Village:Sutra,Tahsil-Khatghora
Dist : Bilaspur(C.G)

P. R. No. 4553/03
Presented by Shri N.V. Sharma
dated 08/10/03

3) Lal Rajendra Tiwari
S/o. Shri Late Rangnath Tiwari
Aged abour 36 years,
Occupation-Agriculturist
R/o.Beedpara
Ward No.13(Old No.8)
Sarangarh, Thana &Tahsil
Sarangarh,Dist:Raigarh(C.G)

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8/10/03
CLERK TO A.G. BILASPUR

VERSUS

RESPONDENTS
(No.1 PLAINTIFF & REST DEFENDATNTS)

1) Smt. Sumitra Widow of Late
Tarachand Pandey
Aged abour 75 years
R/o.Chotematpara,Ward No.6
Sarangarh,Tahsil-Sarangarh
Dist : Raigarh (C.G)

शपथ आयुक्त
एस.के.शुक्ला
बिलासपुर (छ.ग.)
28/3/10

2) Smt. Shanti Bai Widow of Late
Damodar Tiwari
Aged abour 80 years
Presently residing at Darogupara
Tahsil & Dist : Raigarh (C.G)

3) Ramji Tiwari, S/o. late Ayodhya
Prasad Tiwari,Aged 75 years

(2) (4)

R/o.Village:Mudpar,
Thana & Tahsil : Sarangarh
Dist : Raigarh (C.G)

4) Surchandra & Bheekham Tiwari
S/o. Late Ayodhya Prasad Tiwari
Aged abour 70 years
R/o.Village:Mudpar,
Thana & Tahsil : Sarangarh
Dist : Raigarh (C.G)

5) State of Chhattisgarh, Through-The Collector, Raigarh (C.G)

REVISION PETITION U/S 115 OF THE CODE OF CIVIL PROCEDURE

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक C.R. No. 145/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	23.06.2003 Shri H.V. Sharma, counsel for the applicant. Heard. This revision petition is directed against the order dated 10.03.2003 passed by the learned Civil Judge, Class-II, Sarangarh in Civil Suit NO.109/1998 taking on record the Special Power of Attorney executed by the petitioner in favour of Ram Lal Tiwari. The order-sheet indicates that the Power of Attorney has been issued in view of the physical incapacity of the plaintiff. According to the learned counsel for the appellant, the Court below has committed an error in taking on record the affidavit and Special Power of Attorney. The provision which has been incorporated by Amendment Act of 46 of 1999, which came into force on 01.07.2002 clearly lays down that in exercise of its power under Section 115 the High Court shall not vary or reverse any order made or any order deciding an issue, in the course of a suit or other proceeding, except where the order, if it had been made in favour of the party applying for revision, would have finally disposed of the suit or	

[पीछे देखिये

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(21)

आदेश पत्रक

मामला क्रमांक C.R.145 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

other proceedings. In this view of the matter, the revision is not maintainable and as such it cannot be entertained and, accordingly it is dismissed as such. It shall, however, be open to the applicant, if so advised, to challenge any error, defect or irregularity in the impugned order if he feels any error, defect or irregularity has been committed by the trial Court, in an appeal, if an occasion so arises.

Consequently, M.C.P. No.629/2003 and I.A. No.3458/2003 for urgent hearing also stand disposed of.

Certified copy as per Rules.

Sd/-
P.C.Naik
Judge

[पीछे देखिये